

Applicants also note with appreciation that the Office acknowledges the claim of priority under 35 U.S.C. § 119 and that all certified copies of the priority document has been received by the Office.

Applicants thank the Examiner for accepting the drawings submitted in December 30, 2004.

### **Nonstatutory Double Patenting Rejection**

The action rejects claims 1-7 for reasons of obviousness-type double patenting over claims 1 and 3-7 of U.S. Patent No. 7,138,165 B2.

While Applicants disagree that claims 1-7 of the instant application are unpatentable over certain asserted claims of the above-noted patents, Applicants submit that this basis of rejection is moot inasmuch as Applicants are herein filing a Terminal Disclaimer.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of the above-noted claims and indicate that these claims are allowable.

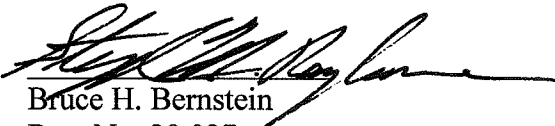
### **CONCLUSION**

Reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Please charge any additional fees necessary for consideration of the papers filed herein and refund excess payments to Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned attorney at the number listed below.

Respectfully Submitted,  
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